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10 Owners Association, Laurence Jennings,  
Raj Patel, Justin Hu, Lawrence Drouin, and  
Andrew Cantor

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**In Re:**

4:19-cv-02588-YGR

SARAH-JANE PARKER,

Bankr. Case No. 14-44083-CN

## Debtor.

Chapter 13

LAURENCE JENNINGS ET AL

Hon. Yvonne Gonzalez Rogers

#### Appellants.

**Supplication to Extend Deadlines to File  
Appellate Briefs Pursuant to Civil L.R. 6-2**

V.

SARAH-JANE PARKER,

Appellee.

The appellants, Bayside Court Owners Association, Laurence Jennings, Raj Patel, Justin Hu, Lawrence Drouin, and Andrew Cantor (collectively, “BCOA”), and the cross-appellant and appellee, Sarah-Jane Parker (“Parker”, and collectively with BCOA, the “Parties”), hereby stipulate to and request an order, pursuant to Civil L.R. 6-2, extending the deadlines to file: (a) BCOA’s principal brief from September 2, 2019, to October 4, 2019; (b) Parker’s principal and response

1 brief from October 10, 2019, to March 6, 2020; (c) BCOA's response and reply brief to April 6,  
 2 2020; and (d) Parker's reply brief to April 20, 2020, but also no more than seven days before  
 3 scheduled argument.

4 In support, the Parties represent as follows:

5 1. This appeal and cross-appeal arises from the bankruptcy court's judgment  
 6 ("Judgment") entered on April 11, 2019, granting in part Parker's two motions to sanction BCOA,  
 7 filed on November 3, 2015, and December 15, 2016, respectively. Bankruptcy Case ECF Nos. 70,  
 8 129, and 316. The bankruptcy court imposed compensatory, emotional distress, and punitive  
 9 damages against BCOA under 11 U.S.C. § 362(k), and ordered BCOA to pay Parker's attorneys'  
 10 fees and costs. Bankruptcy Case ECF No. 299. The bankruptcy court denied Parker's request to  
 11 hold BCOA in contempt for automatic stay and discharge injunction violations pursuant to 11  
 12 U.S.C. §§ 105(a), 362, and 524. *Id.*

13 2. BCOA appealed the Judgment timely on April 24, 2019, and Parker cross-appealed  
 14 timely on May 7, 2019. Bankruptcy Case Nos. 317 and 324.

15 3. The Court issued an initial case management scheduling order on May 14, 2019,  
 16 setting a deadline of July 31, 2019, for BCOA to file its principal brief. ECF No. 2.

17 4. On July 10, 2019, BCOA, through its counsel Miriam Hiser, filed a motion to extend  
 18 the time to file its principal brief. ECF No. 6. Ms. Hiser represented that she would be unavailable  
 19 from July 28, 2019, to August 19, 2019, to prepare burial arrangements for her father and care for  
 20 her elderly mother. *Id.* at ¶ 3. The Parties were unable to resolve this extension request amicably.  
 21 See ECF Nos. 7-11.

22 5. The Court granted the motion, extending BCOA's deadline to file its principal brief  
 23 to September 2, 2019, and Parker's deadline to file her principal and response brief to October 10,  
 24 2019. ECF No. 12.

25 6. Ms. Hiser's mother's health was even worse than anticipated during her time away  
 26 and will require her ongoing involvement and trips to Massachusetts where her mother resides  
 27 through the fall. Consequently, BCOA retained Aron M. Oliner, Esq., of Duane Morris LLP as  
 28 co-counsel to assist in this appeal. *Id.* at 3. Oliner Decl. at ¶ 2.

7. Given Mr. Oliner's recent entry into proceedings dating back nearly four years, BCOA contacted Parker through her attorney, Mark Fong, on August 20, 2019, to request an extension to review the large volume of pleadings, evidence, and trial testimony that are the subject of the appeal before filing its principal brief. *Id.* at ¶ 4.

8. The Parties agreed to extend BCOA’s principal brief deadline to October 4, 2019. *Id.* at ¶ 5. In light of Mr. Fong’s trial schedule, the Parties agreed to extend Parker’s principal and response brief deadline to March 6, 2020. *Id.* at ¶ 6. The Parties agreed that the remaining response and reply deadlines follow the thirty-day and fourteen-day standards, or April 6, 2020, and April 14, 2020, respectively. *Id.* at ¶ 7. In the event Mr. Fong’s schedule or other circumstances change and Parker is able to submit her response and opening brief on the cross-appeal earlier than March 6, 2020, the remaining response and reply briefs will be due 30 and 14 days after Parker’s response and opening brief is filed.

NOW THEREFORE, the Parties hereby request the Court to enter an order approving this stipulation and extending the deadlines to file: (a) BCOA's principal brief from September 2, 2019, to October 4, 2019; (b) Parker's principal and response brief from October 10, 2019, to March 6, 2020; (c) BCOA's response and reply brief to April 6, 2020; and (d) Parker's reply brief to April 20, 2020, or as set by statute in the event Parker's response and opening brief is filed earlier than March 6, 2020, but also no more than seven days before scheduled argument.

Dated: August 27, 2019

Respectfully submitted,

By: /s/ Marc Fong

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